

were within the Grade B contours of WMOD and WTGL. However, that is not the case for WAYK. Its contours reach neither Orlando nor Daytona Beach. Therefore, while WMOD and WTGL may be viewed as participating in the hyphenated market, WAYK serves an entirely distant market.

Moreover, the majority of the population served by WAYK is not served in any reliable fashion (other than cable carriage) by the Orlando-Daytona Beach stations. That fact is demonstrated not only by the failure of any Orlando station to place a predicted city-grade signal over Melbourne, but by field tests. Those tests, the results of which are attached hereto as Exhibit E, show that the real technical coverage of the Orlando stations in the Melbourne area is even worse than predicted.

Thus, program duplication by WAYK and the Orlando/Daytona stations presents no more (indeed, far less) of a problem than carriage of the same programming by stations in, for example, both Baltimore and Washington. Baltimore stations cannot purchase exclusivity against Washington stations even though their signals overlap with Washington stations to a far greater extent than the WAYK signal overlaps with those of the Orlando/Daytona stations.

The requested waiver should not prejudice any other stations, even those that requested the market redesignation. Under the new must-carry rules, cable systems in Orlando and Daytona Beach are no longer required to carry either the

Melbourne or Cocoa stations. Therefore, the motivation which spurred the amendment of the market designation to include Melbourne and Cocoa has expired.

Finally, the public interest concerns which support the territorial exclusivity rule militate in favor of the waiver here. In adopting the territorial exclusivity rule, the Commission's goal was to curb abusive uses of exclusivity by program suppliers and stations. Specifically, the Commission desired to free up programming in situations where there was only a small or insignificant coverage overlap of two or more stations' signals. However, the Commission made it clear that the rules were intended

only to establish some outer limits to the exclusivity practice in question. We think it likely in fact, that even within the market lists (§ 76.51 and ARB) here relied on, that there are stations which, if purchasing exclusivity against each other, will be approaching the edge of what a full review of the circumstances might reveal to be "undue" exclusivity. (Citations omitted.)

See Territorial Exclusivity in Non-Network Programming, 29 RR 2d 1748, 1755 (1974). Thus, the Commission realized, when § 73.658(m) was first adopted, that the rule as written would not always succeed in alleviating inequities to small stations wrought by exclusivity clauses in programming contracts entered into by large-market stations. As a result, the Commission expressly stated that "[T]his is . . . a matter which clearly warrants continuing concern." Id.

That sound policy should be focused on WAYK's plight at this time. The concerns which prompted adoption of the rule has been frustrated as the rule has been applied on its face to WAYK. Those policy considerations mandate the special relief which WAYK seeks at this time.

Grant of the requested waiver is fully consistent with with the rationale underlying both the territorial exclusivity rule and the market designation rule. The requested waiver will serve the public interest by increasing the quantity and quality of programming available to WAYK's viewers in the Melbourne-Vero Beach community. It would further the policy of Section 307(b) of the Communications Act, by ensuring service to an underserved area.

V. Conclusion

This is not a matter for lengthy, academic contemplation. Because TV 56 is foreclosed from access to most of the syndicated programming that would otherwise be available to it, it cannot realize the full audience potential that its service to the Melbourne-Vero Beach market would otherwise merit. Until it receives fair treatment under the territorial exclusivity rule, TV 56 is condemned to losing large amounts of money every month. Without the relief requested in this petition, the station will not be able to

survive. Accordingly, TV 56 urges the Commission to fulfill its public interest mandate by granting this waiver request as soon as possible.

Respectfully submitted,

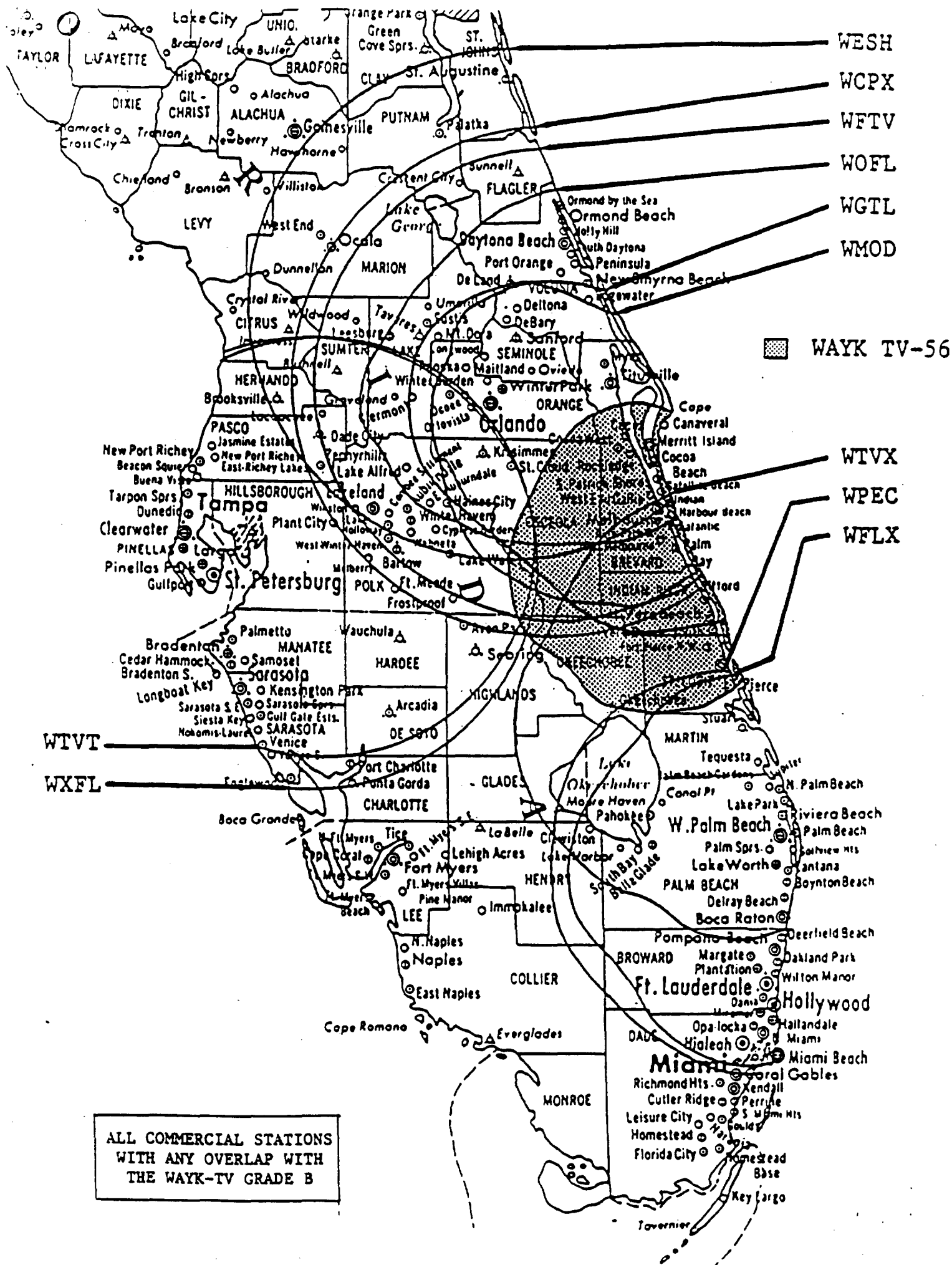
TV 56, LTD.

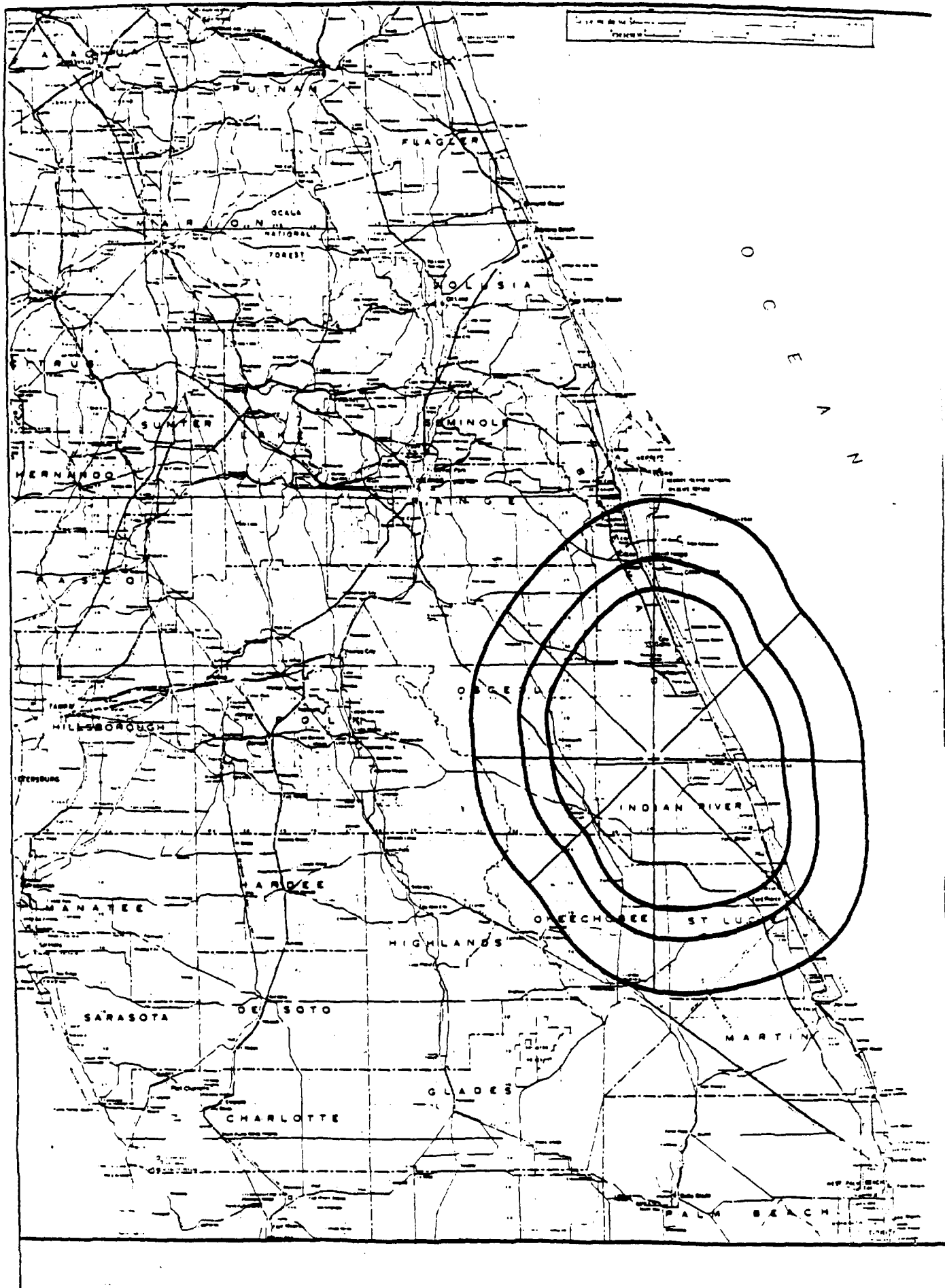
By Barry D. Wood
John C. Quale
Barry D. Wood
Antoinette D. Cook

WILEY, REIN & FIELDING
1776 K Street, N.W.
Washington, D.C. 20006
(202) 429-7000

Its Attorneys

September 30, 1986





Florida—Orlando

WCPX-TV

Ch. 6

Network Service: CBS.

Licensee: Rockefeller Group Inc., Box 66000, Orlando, FL 32853.

Studio: 4466 John Young Pkwy., Orlando, FL 32804.

Telephone: 305-291-6000. TWX: 810-850-0141.

Mailing Address: Box 66000, Orlando, FL 32853.

Technical Facilities: Channel No. 6 (82-88 MHz). Authorized power: 100-kw visual, 20-kw aural. Antenna: 1485-ft. above av. terrain, 1484-ft. above ground, 1549-ft. above sea level.

Latitude 28° 36' 08"
Longitude 81° 05' 37"

Holds CP for change to 1835-ft. above av. terrain, 1983-ft. above ground, 2049-ft. above sea level. BPCT-4827.

Transmitter: 3.5-mi. N of Bithlo.

Satellite Earth Stations: Comtech, 5-meter; Scientific-Atlanta, 10-meter.

News Services: AP, UPI.

Ownership: See Outlet Communications in Group Ownership of TV Stations.

Began Operation: July 1, 1954. Sale to present owner by the Outlet Co. approved by FCC Nov. 23, 1983 (Television Digest, Vol. 23:19, 22: 24:6). Sale to Outlet by Cherry Bcstg. Co. approved July 17, 1963 by FCC (Vol. 3:15, 29). Sale to Cherry Bcstg. Co. by group headed by Harold P. Danforth approved May 8, 1957.

Represented (sales): Katz Television.

Represented (legal): Sundlun, Scher & Singer.

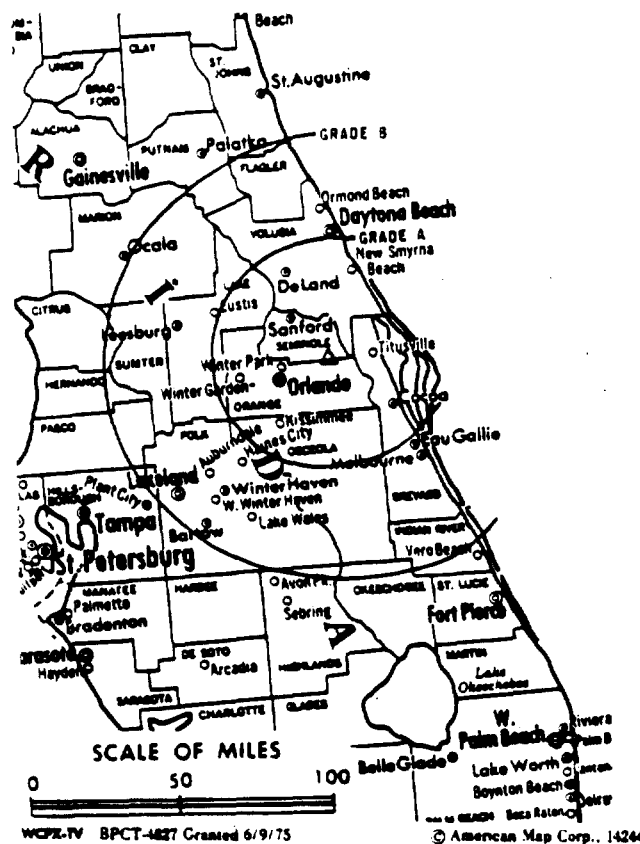
Represented (engineering): Lohnes & Culver.

Personnel:

DAVID E. HENDERSON, president, broadcast division.
MIKE SCHWEITZER, vice president & general manager.
EVERETT H. HUGHES, program manager.
JAMES E. DONNELLY, general sales manager.
JAMES POSEY, national sales manager.
ROBERT DIEHL, chief engineer.
BERNARD W. SCHNAPP, business manager.
TOM HAUFF, news director.
NICKI SARNER, community affairs director.
SALLY BRILEY, promotion manager.
LEN DePANICIS, production manager.

Rates: Not Available.

Total Households: © MSI Consumer Market Data as of 1/1/85. TV Homes, TV% and Circulation
© 1985 Arbitron. County coverage based on Arbitron study.



Net Weekly Circulation	State County	Total Households	TV Households	%
50% & Over	FLORIDA			
	Brevard	118,800	117,600	99
	Flagler	5,900	5,800	98
	Lake	48,900	48,400	99
	Marion	56,500	55,400	98
	Orange	197,100	195,400	99
	Osceola	24,700	24,300	98
	Seminole	79,600	78,800	99
	Sumter	10,100	9,900	98
	Volusia	123,300	122,000	99
Between 25-49%	FLORIDA			
	Citrus	30,000	29,400	98
	Polk	130,300	128,800	99
	Putnam	21,100	20,800	99
Between 5-24%	FLORIDA			
	Highlands	22,000	21,600	98
	Indian River	28,400	27,900	98
	Levy	8,500	8,200	96
	Okeechobee	8,700	8,600	99
Station Totals		913,900	902,900	98
Net Weekly Circulation (1985)			657,700	
Average Daily Circulation (1985)			408,300	

Florida—Daytona Beach-Orlando

WESH-TV

Ch. 2

Network Service: NBC.

Licensee: WESH-TV Broadcasting Inc., Box 1551, Daytona Beach, FL 32015.

Studios: 540 Corporation Ave., Holly Hill 32015; 1501 Minnesota Ave., Winter Park 32789.

Telephones: 904-252-2222, Daytona Beach; 305-645-2222, Orlando.

TWX: 810-832-6222, Daytona Beach; 810-853-0255, Winter Park.

Technical Facilities: Channel No. 2 (54-60 MHz). Authorized power: 100-kw visual, 20-kw aural. Antenna: 1650-ft. above av. terrain, 1670-ft. above ground, 1740-ft. above sea level.

Latitude 28° 56' 17"
Longitude 81° 18' 58"

Transmitter: 1.2-mi SW of Orange City, FL.

Satellite Earth Stations: Microdyne, 5-meter; Scientific-Atlanta, 7-meter.

News Services: AP, UPI, NBC.

Ownership: H & C Communications Inc. For other interests, see Group Ownership of TV Stations.

Began Operation: May 29, 1956. Merger of Cowles Bcstg. into H & C Communications approved by FCC Oct. 24, 1984 (Television Digest, Vol. 24:26,35). Sale to Cowles by John H. Perry interests approved April 20, 1986.

Represented (sales): Petry Television Inc.

Represented (legal): Dow, Lohnes & Albertson.

Represented (engineering): Jules Cohen & Associates.

Personnel:

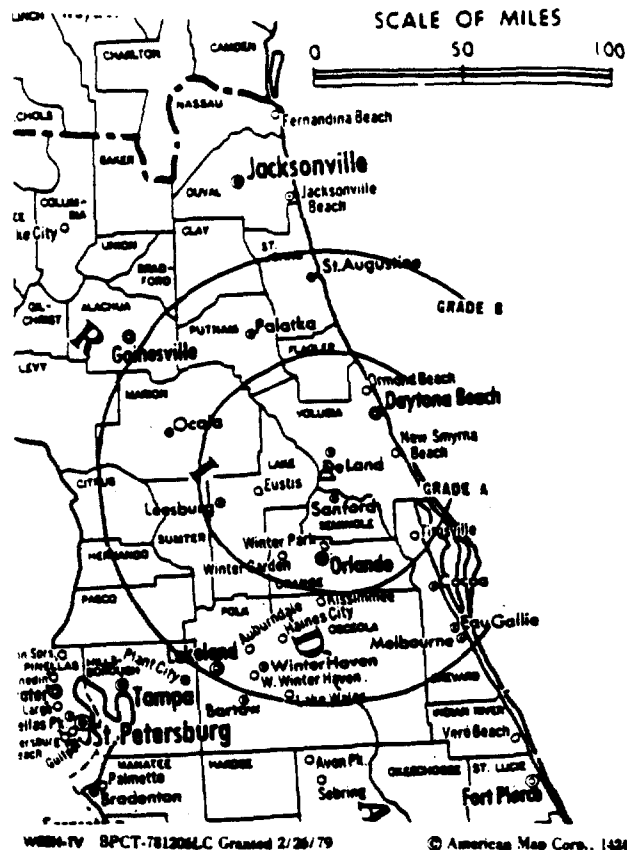
THOMAS REIFF, exec. vice president & general manager.
JOHN E. EVANS, exec. vice president.
JACK L. HITCHCOCK, sr. v.p., Winter Park studio mgr.
JESS SALAFRANCA, business manager.
KENNETH W. SMITH, sr. vice president & operations manager.
ROBERT FOWLER, vice president & sales director.
NILE M. HUNT, vice president & engineering director.
NICHOLAS W. PFEIFAU, vice president & research director.
STEVE HOMAN, vice president, news/public affairs.
WILLIAM BAUMAN, news director.
RED KOCH, vice president & promotion director.
RICHARD K. SCHARF, production manager.

Average 30 Sec. Rate (June 30, 1984): \$1200.

NETWORK BASE HOURLY RATE: \$2435.

Total Households: © MSI Consumer Market Data as of 1/1/85. TV Homes, TV% and Circulation © 1985 Arbitron. County coverage based on Arbitron study.

Net Weekly Circulation	State County	Total Households	TV Households	%
50% & Over	FLORIDA			
	Alachua	63,100	61,800	98
	Brevard	118,800	117,600	99
	Flagler	5,900	5,800	98
	Lake	48,900	48,400	99
	Levy	8,500	8,200	96



Net Weekly Circulation	State County	Total Households	TV Households	%
50% & Over	Marion	56,500	55,400	98
	Orange	197,100	195,400	99
	Osceola	24,700	24,300	98
	Putnam	21,100	20,800	99
	Seminole	79,600	78,800	99
	Sumter	10,100	9,900	98
	Volusia	123,300	122,000	99
Between 25-49%	FLORIDA			
	Citrus	30,000	29,400	98
	Dixie	3,100	3,000	97
	Gilchrist	2,500	2,500	100
	St Johns	22,800	22,500	99
Between 5-24%	FLORIDA			
	Bradford	7,200	7,100	99
	Lafayette	1,700	1,600	94
	Polk	130,300	128,800	99
	Suwannee	8,800	8,600	98
	Union	2,400	2,400	100
Station Totals		966,400	954,300	98
Net Weekly Circulation (1985)			680,800	
Average Daily Circulation (1985)			410,300	

Florida—Orlando-Daytona Beach-Melbourne

WFTV

Ch. 9

Network Service: ABC.

Licensee: SFN Communications of Florida Inc., Box 999, Orlando, FL 32802.

Studio: 639 West Central Blvd., Orlando 32805.

Telephone: 305-841-9000. TWX: 810-850-0179.

Mailing Address: Box 999, Orlando, FL 32802.

Technical Facilities: Channel No. 9 (186-192 MHz). Authorized power: 316-kw max. & 191-kw horizontal visual, 31.6-kw max. & 19.1-kw horizontal aural. Antenna: 1570-ft. above av. terrain, 1608-ft. above ground, 1674-ft. above sea level.

Latitude 28° 36' 08"
Longitude 81° 05' 37"

Transmitter: 3.5-mi. N of Bithlo, 20-mi. E of Orlando.

Multichannel TV Sound: Stereo only.

Satellite Earth Stations: Satcom Technology, 7-meter; M/A-Com & Microdyne receivers.

News Services: UPI, ABC.

Ownership: SFN Voting Trust, 64.7%; Hallmark Cards International, 35.3%. For other interests, see SFN Communications in Group Ownership of TV Stations. Note: Sale to Cox Communications pending (Television Digest, Vol. 25:23).

Began Operation: Feb. 1, 1958 by Mid-Florida Inc. Interim operation began April 1, 1969 (Television Digest, Vol. 9:14). Settlement agreement among interim operators approved by FCC June 30, 1981. Sale to present owner approved by FCC May 24, 1984 (Vol. 24:9).

Represented (sales): TeleRep Inc.

Represented (legal): Cohn & Marks.

Represented (engineering): A. D. Ring & Associates.

Personnel:

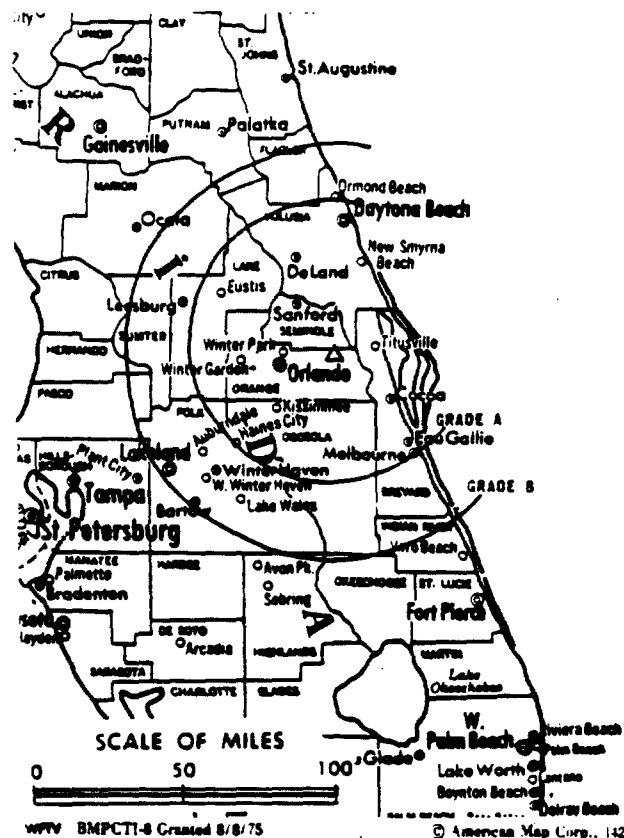
CLIFTON L. CONLEY, president & general manager.
BOB JORDAN, vice president, news & public affairs.
BRUCE BAKER, general sales manager.
SKIP SKIFFINGTON, operations manager.
MIKE STORMS, sports director.
RICHARD FLYNN, business manager.
WAYNE GERBER, marketing research director.
WILLIAM D. JONES, assistant sales manager.
PAUL D. WARNOCK, chief engineer.
WALTER S. McDOWELL, promotion director.

Highest One Hour Rate: \$6000.

Highest 30 Sec. Rate (July 1, 1985): \$3500.

NETWORK BASE HOURLY RATE: \$1800.

Total Households: © MSI Consumer Market Data as of 1/1/85. TV Homes, TV% and Circulation © 1985 Arbitron. County coverage based on Arbitron study.



Net Weekly Circulation	State County	Total Households	TV Households	%
50% & Over	FLORIDA			
	Brevard	118,800	117,600	99
	Flagler	5,900	5,800	98
	Highlands	22,000	21,600	98
	Indian River	28,400	27,900	98
	Lake	48,900	48,400	99
	Manion	56,500	55,400	98
	Orange	197,100	195,400	99
	Osceola	24,700	24,300	98
	Seminole	79,600	78,800	99
Between 25-49%	FLORIDA			
	Okeechobee	8,700	8,600	99
	Polk	130,300	128,800	99
Between 5-24%	FLORIDA			
	Citrus	30,000	29,400	98
	Levy	8,500	8,200	96
Station Totals		913,900	902,900	98
Net Weekly Circulation (1985)			882,700	
Average Daily Circulation (1985)			422,000	

Florida—Melbourne-Orlando

WMOB

Ch. 43

Network Service: None, independent.

Licensee: Sewall Operating Co. Inc., 4450-L Enterprise Court, Melbourne, FL 32935.

Studio: 4450 Enterprise Court, Rodes Blvd., Melbourne, FL 32935.

Telephone: 305-254-4343.

Technical Facilities: Channel No. 43 (644-650 MHz). Authorized power: 4200-kw max. visual, 570-kw max. aural. Antenna: 969-ft. above av. terrain, 1005-ft. above ground, 1046-ft. above sea level.

Latitude 28° 18' 26"
Longitude 80° 54' 48"

Transmitter: Desert Ranches, Star Rte. 1250, Osceola County.

Satellite Earth Stations: 9.1-meter steerable; 5-meter fixed; Harris receivers.

News Service: AP.

Ownership: Asbury Park Press Inc., 100%. APP ownership: Jules L. Plangere Jr., chmn. & Ernest D. Lass, pres., 50% each; Jules L. Plangere III & Robert E. Murphy, v.p.'s; Charles W. Ritcher, secy. APP owns WSJT (TV) Vineland, NJ; has interest in licensee of WJLK-AM-FM Asbury Park, NJ & applications for LPTVs.

Began Operation: July 5, 1982. Sale to present owners by Southern Bcstg. Corp. approved by FCC Aug. 15, 1985.

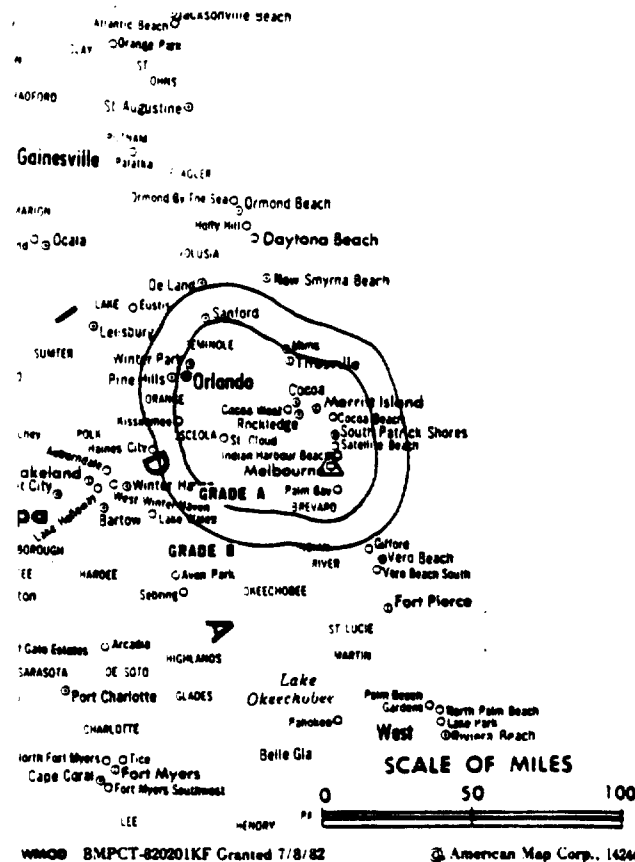
Represented (sales): Independent TV Sales.

Represented (legal): Dow, Lohnes & Albertson.

Personnel:
DAVID LASKEY, general manager.
NELLE H. AYRES, director of administration.

Highest 30 Sec. Rate: \$500.

Total Households: © MSI Consumer Market Data as of 1/1/85. TV Homes, TV% and Circulation © 1985 Arbitron. County coverage based on Arbitron study.



WMOB BMPCT-820201KF Granted 7/8/82

© American Map Corp., 14244

Net Weekly Circulation	State County	Total Households	TV Households	%
Between 25-49%	FLORIDA			
	Brevard	118,800	117,600	99
	Indian River	28,400	27,900	98
	Orange	197,100	195,400	99
	Osceola	24,700	24,300	98
	Seminole	79,600	78,800	99
Station Totals		448,600	444,000	98
Net Weekly Circulation (1985)			172,200	
Average Daily Circulation (1985)			59,700	

Florida—Melbourne

WAYK

Ch. 56

Network Service: None, independent.

Grantee: TV 56 Ltd., 720 Fee Ave., Melbourne, FL 32901.

Studio Address: 720 Fee Ave., Melbourne 32901.

Telephone: 305-725-0056.

Technical Facilities: Channel No. 56 (722-728 MHz). Authorized power: 2070-kw max. visual, 207-kw max. aural. Antenna: 1000-ft. above av. terrain, 996-ft. above ground, 1023-ft. above sea level.

Latitude 27° 49' 22"
Longitude 80° 42' 26"

Transmitter: 7.5-mi. WNW of Fellsmere.

Multichannel TV Sound: Stereo only.

Satellite Earth Station: ADM, 5-meter; Scientific-Atlanta receivers.

News Services: UPI, CNN, INN.

Ownership: Sunshine Bcstg. Corp., gen. partner, 75%; Harry N. Handley & Cathy Bamberg, gen. partners, 2.5% each; William E. Varecha & William R. Bamberg, ltd. partners, 10% each. SBC ownership: William R. & Debbie Varecha, 100% jointly. The Varechas have interest in WCEE(TV), Mount Vernon, IL. William Varecha owns permittee of Ch. 49 Paducah, KY.

Due to Begin Operation: Nov. 1985.

Represented (legal): Wiley & Rein.

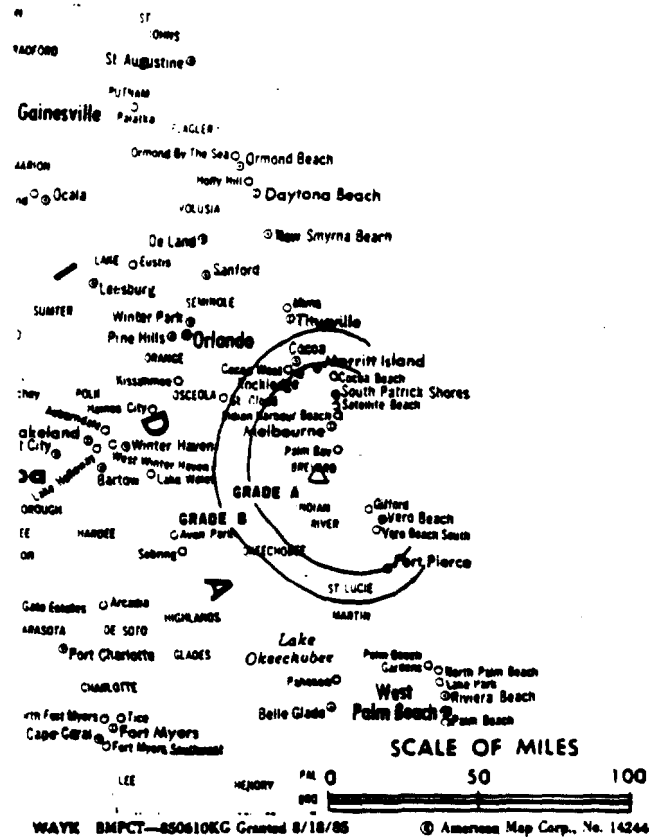
Represented (engineering): Arthur K. Peters.

Personnel:

WILLIAM VARECHA, general manager.
DON SUNDQUIST, general sales manager.
STEVE SCHRADER, chief engineer.

Highest One Hour Rate: \$1000.

Highest 30 Sec. Rate: \$100.



Robert W. Brown & Associates
Media Buyers and Consultants
ATLANTA: 1-800-531-1500 ORLANDO: 1-800-328-3500

Florida—Orlando

WOFL

Ch. 35

Network Service: None, independent.

Licensee: Meredith Corp., Box 5729, 2300 S. Orange Blossom Trail, Orlando, FL 32855.

Studio: 2300 S. Orange Blossom Trail, Orlando 32855.

Telephone: 305-422-0035.

Technical Facilities: Channel No. 35 (596-602 MHz). Authorized power: 2570-kw max. & 646-kw horizontal visual, 126-kw aural. Antenna: 1470-ft. above av. terrain, 1486-ft. above ground, 1549-ft. above sea level.

Latitude 28° 36' 17"
Longitude 81° 05' 13"

Transmitter: Chuluota-Christmas Rd., 3.7-mi. N of Bithlo.

Satellite Earth Stations: Microdyne, 7-meter & 5-meter; Microdyne receivers.

News Service: UPI.

Ownership: Meredith Corp., 100%. For other interests, see Group Ownership of TV Stations.

Began Operation: March 31, 1974. Left air Sept. 29, 1976. Sale to Omega Communications approved by FCC June 15, 1979 (Television Digest, Vol. 19:28). Resumed operation Oct. 15, 1979. FCC, April 4, 1983, approved sale of 60% to Meredith Corp., 40% owner.

Represented (sales): MMT Sales Inc.

Represented (legal): Haley, Bader & Potts.

Represented (engineering): Hammett & Edison Inc.

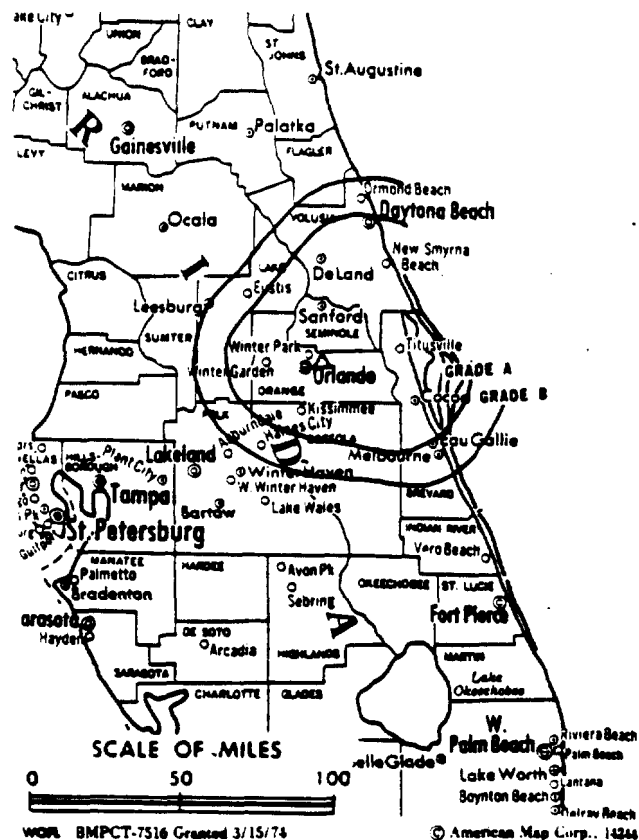
Personnel:

NORRIS REICHEL, vice president & general manager.
MARTY ROSS, general sales manager.
KATE McSWEENEY, program manager.
GEORGE WILSON, news director.
JIM DOYAS, chief engineer.

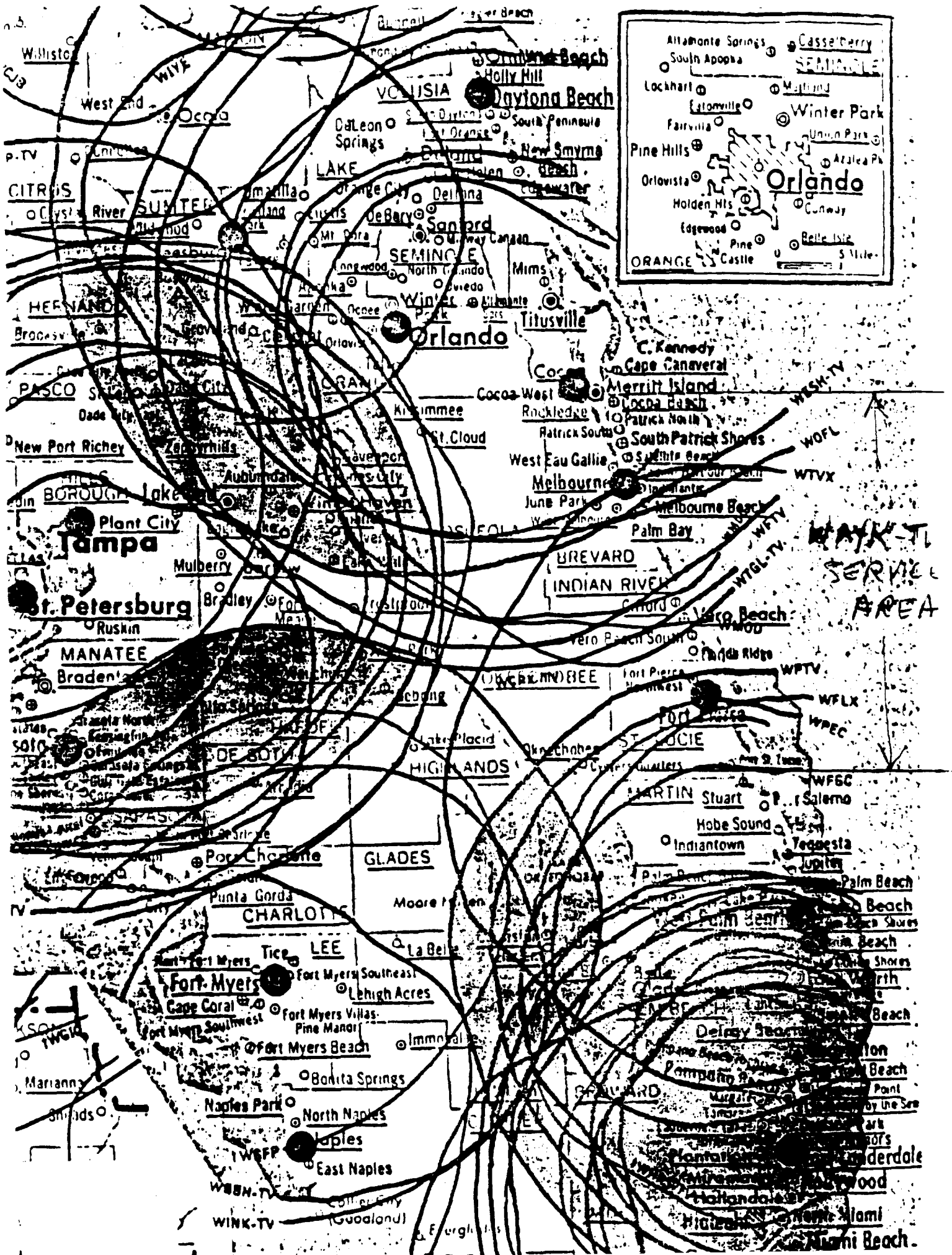
Highest 30 Sec. Rate (July 15, 1985): \$1500.

Total Households: © MSI Consumer Market Data as of 1/1/85. TV Homes, TV% and Circulation © 1985 Arbitron. County coverage based on Arbitron study.

Net Weekly Circulation	State County	Total Households	TV Households	%
50% & Over	FLORIDA			
	Brevard	118,800	117,600	99
	Lake	48,900	48,400	99
	Orange	197,100	195,400	99



Net Weekly Circulation	State County	Total Households	TV Households	%
50% & Over	Osceola	24,700	24,300	98
	Seminole	79,600	78,800	99
	Volusia	123,300	122,000	99
Between 25-49%	FLORIDA			
	Flagler	5,900	5,800	98
	Marion	56,500	55,400	98
Between 5-24%	FLORIDA			
	Citrus	30,000	29,400	98
	Okeechobee	8,700	8,600	99
	Polk	130,300	128,800	99
	Sumter	10,100	9,900	98
Station Totals		833,900	824,400	98
Net Weekly Circulation (1985)			410,600	
Average Daily Circulation (1985)			194,800	



METROSPORTS

A DIVISION OF METRO COMMUNICATIONS, INC.

HEADQUARTERS

8151 Executive Boulevard
Rockville, Maryland 20852
(301) 984-9800
TWX 710 828-0235

WEST COAST BRANCH

2029 Century Park East
Suite 600
Century City
Los Angeles, California 90067
213 552-9892

October 31, 1984

Mr. Bill Varecha
c/o WCEE TV
Route 1, Box 71
Kell, Illinois 62853

RE: WSCT TV MELBOURNE, FLORIDA

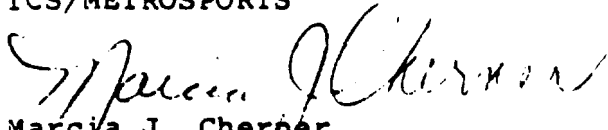
Dear Bill:

You have asked us to provide a letter indicating our willingness to supply programming to your new Melbourne television station. Based on the information you supplied to us, we would be willing to provide programming to WSCT independent of the Orlando marketplace.

We look forward to working with you in the future.

Sincerely,

TCS/METROSPORTS


Marcia J. Cherner
Vice President, Administration

METROMEDIA
P R O D U C E R S
C O R P O R A T I O N

RON GEAGAN

November 1, 1984

Mr. Bill Varecha
President
WCEE-TV
Rte 1
Box 71
Kell, IL 62853

Dear Bill,

This will confirm our discussion regarding pricing for your new station in Melbourne, FL. I don't see any problem, based on the information you've given me, with offering you the shows in our "Spectrum Programs" division at a price that is in line with The Vero Beach "market" as opposed to Orlando.

I do want to reiterate, however, that I cannot speak for our primary sales division and their handling of the same territories.

I hope this letter suits your needs. If I can be of further help to you, please don't hesitate to let me know.

Sincerely,



Ron Geagan
Sales Representative

RG:ds

TURNER PROGRAM SERVICES

Turner Program Services, Inc.

December 3, 1985

William Varecha
2260 S. Front St.
Suite 105
Melbourne, FL 32901

Dear Mr. Varecha,

I'm in receipt of your two letters requesting programming and CNN news for your new station.

I am aware of your acquired CP for over three years. It is a license for Melbourne, FL and Melbourne is a hyphenated market with Orlando.

Please see the Nielsen cover and county map Xerox. which clearly states that Melbourne, FL is part of the Orlando-Daytona market area.

I presently have a station (WOFL) in Orlando-Daytona-Melbourne, with exclusive program and excerpt rights to CNN Headline News and a station for CNN base news pending. I have a station (WBSP-IND) in Ocala, Florida with Headline News and a station (WPEC-ABC) in West Palm with Headline News and CNN basic.

The area you refer to is not a designated market and at present is in both W. Palm and Orlando-Melbourne-Daytona markets (again, see W. Palm county market coverage). The only counties not in the metro of both areas are Okeechobee and Indian River, but they are part of the local D.M.A. of both markets.

We will not license CNN to more than one station in a market - versus radio or AP, which will sell to everybody in town.

Where the 35-mile rule comes in is that the FCC as of 11/28/84 officially designated Orlando-Daytona-Melbourne as one market.

Your stick is 20 miles south of Melbourne, along I-95. You are within the 35 mile coverage you speak of.

With complete ownership and rights reserved by Turner, we have the right to set up a marketing plan on an exclusive basis.



THE INDEPENDENT NEWS

11 WPIX PLAZA NEW YORK, NEW YORK 10017

Barbara L. Mortimer
Director of Affiliate Relations
(212) 210-2589

October 2, 1985

Mr. Bill Varecha, General Manager
WAYK-TV Channel 56
c/o WCEE-TV Channel 13
Route One
Box 71
Kell, Illinois 62853

Dear Bill:

Following up on our telephone conversation of 9/20/85, I am writing in response to your request concerning the availability of INN NIGHTTIME EDITION for your new station, WAYK, Channel 56 in Melbourne, Florida.

As previously advised, INN NIGHTTIME EDITION is currently being cleared at 10:00 PM daily on WOFL in Orlando. WOFL has been a member station of INN's since June of 1980.

During our previous telephone conversation, I had requested that you forward a letter and coverage map of your proposed signal when you sign-on in late November. I realize that you feel your coverage will not interfere with WOFL's coverage, and that you are located approximately 60 miles from WOFL. It is your intention to service the beach communities of Melbourne and Vero Beach.

Unfortunately, in light of the fact that WOFL is INN's licensed affiliate for NIGHTTIME EDITION in the FCC hyphenated markets of Orlando-Daytona Beach-Melbourne, it seems unlikely that we will be able to offer INN NIGHTTIME EDITION to Channel 56.

I do appreciate your interest in NIGHTTIME EDITION. I would welcome the opportunity to explore clearance of NIGHTTIME, should our affiliate status change with WOFL in the future.

Let's keep in contact, and once again, thank you for your interest in programming from The Independent News.

Cordially,

Barbara L. Mortimer

Barbara L. Mortimer

BLM/cbe

cc: John Corporon

TURNER PROGRAM SERVICES

Turner Program Services, Inc.

November 1, 1984

Mr. William Varecha
WCEE
Route 1
Box 71
Kell, IL 62853

RE: Exclusivity

Dear Bill:

Per our discussion, Turner Program Services agrees and covenants that during the term of the agreement between TPS and the Licensee applicable to said service, TPS shall not grant rights to, authorize the use of, or license the service for broadcast by any television station within a 35 mile radius of the reference point applicable to the license as described in section 76.53 of Chapter 1, Title 47 of the Code of Federal Regulations.

As an example, TPS contracts licensed materials for CNN to KMSP in the Minneapolis - St. Paul DMA market, and contracts licensed materials for CNN to KXLI in the St. Cloud - Minnesota market. The KXLI tower is 40 miles from Minneapolis - St. Paul and covers the market with a signal as well as cable.

TPS does not offer licensed programming to KXLI at Minneapolis - St. Paul market prices. TPS negotiates considerable lower prices for KXLI because they are a non-DMA market.

Also, TPS does not offer barter programs to KXLI and claim that the Minneapolis - St. Paul market has been cleared for the specific ad-hoc network program.

Please let me know if I can provide any additional information.

Good luck on your new venture!

Best regards,



Paul Wischmeyer
West Coast Sales Manager
Turner Program Services



THE INDEPENDENT NEWS

11 WPIX PLAZA NEW YORK NEW YORK 10017

Barbara L. Mortimer
Director of Affiliate Relations
(212) 210-2589

February 3, 1986

Mr. William Varecha
General Manager
WAYK-TV CHANNEL 56
6525 Babcock Street, SE
Palm Bay, Florida 32907

Dear Bill:

Thank you for forwarding WAYK coverage information to me during the INTV Convention in Los Angeles.

I have reviewed the materials as concerns a possible clearance of INN NIGHTTIME EDITION on WAYK, Channel 56.

As you are aware, WOFL Channel 35 is the sole licensee of NIGHTTIME EDITION in the Orlando-Daytona Beach-Melbourne, Florida market. While your research states the WAYK's tower is 69 miles from Orlando, our current contract provides exclusivity to WOFL for INN NIGHTTIME EDITION in the #27 Nielsen hyphenated market. Therefore, INN is not able to extend an offer to WAYK at this time.

As I have stated in my previous letter, should our status with WOFL change at any time in the future, we would be happy to explore a possible clearance with WAYK for NIGHTTIME EDITION.

Bill, we certainly appreciate your interest in The Independent News. I have enclosed an updated INN brochure outlining the INDX News Service in the event that WAYK plans to expand national and international news via a local news vehicle. As you are aware, the INDX News Service will be expanding to a minimum of four hours of service daily effective with the 2nd Quarter of 1986, and is available to all broadcast stations on a non-exclusive basis. We would love to add WAYK to our roster of INDX clients.

Once again, thank you for your interest in INN.

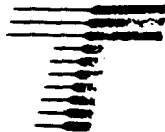
Sincerely,

Barbara L. Mortimer

Barbara L. Mortimer
Director of Affiliate Relations

BLM/cbe

Enclosure



**TRIBUNE
ENTERTAINMENT**
Company

Joseph G. Antelo
Executive Vice President

435 North Michigan Avenue
Chicago, Illinois 60611
(312) 222-4485

November 26, 1985

Mr. Bill Varecha
WAYK-TV
2260 S. Front Street
105 Melbourne, FL 32901

Dear Mr. Varecha:

As you know, we were reluctant to offer your station U.S. Farm Report and other programming, because of your station's possible conflict with other television stations in the Orlando market.

If, as you have indicated, your station were to receive a waiver from the FCC regarding program exclusivity, we would then be happy to consider the sale or supplying you with available product.

Sincerely,

Joseph Antelo

JGA/mf

FIELD SIGNAL INTENSITY MEASUREMENTS

The measurements for this signal survey were made with a Wavetek SAM 1 signal analysis meter, serial number 416. The last certified calibration date was September 1984. Internal calibration was preformed daily during the test period.

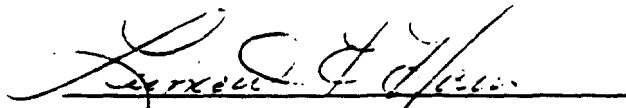
The antenna used were a Texscan FSA VHF diople and a Channel Master UHF diople. Dioples were adjusted for each channel measurement.

Sites were chosen to represent a cross-section of the Channel 56 coverage area. Locations were chosen to be as clear from obstructions as possible.

The height selected for this test was at twenty (20) feet above ground. This represents the average height of the viewers' home antenna in this area.

The results of this survey is for comparision use only and in no way reflect a FCC survey as prescribed in Section 73.636 of the rules for field strength measurements.

Correction factors have been used in the recorded measurements.



Leonard R. Harris
President
Broadcast Technical Services, Inc.

TELEVISION SIGNAL SURVEY
WAYK CHANNEL 36
MELBOURNE, FLORIDA

SITE NO. 1
SITE LOCATION A1A
1000' South of hangars
Patrick Air Force Base

CHANNEL NUMBER	LOCATION	TO TRANSMITTER DEGREE	MILES	SIGNAL LEVEL U/V/M	TIME
2	Orlando, Florida	315	56.00	214.27	2:00 PM
6	Orlando, Florida	310	37.50	2460.01	2:03 PM
9	Orlando, Florida	310	37.30	14403.72	2:05 PM
34	Ft. Pierce, Florida	170	66.50	626.36	2:13 PM
35	Orlando, Florida	305	41.20	1002.79	2:15 PM
43	Melbourne, Florida	295	19.20	690686.36	2:17 PM
52	Cocoa, Florida	295	19.20	500247.98	2:18 PM
56	Melbourne, Florida	187	29.20	61475.21	2:19 PM

NOTES:

Leonard R. Harris
TECHNICIAN

June 30, 1986
DATE

TELEVISION SIGNAL SURVEY
WAYK CHANNEL 36
MELBOURNE, FLORIDA

E NO. 2

E LOCATION Utopia Circle & S. Tropical Rd.
700' west of intersection
Merritt Island, Florida

CHANNEL NUMBER	LOCATION	TO TRANSMITTER DEGREE	MILES	SIGNAL LEVEL uV/M	TIME
2	Orlando, Florida	312	53.50	360.90	2:55 PM
6	Orlando, Florida	310	34.80	3096.97	2:37 PM
9	Orlando, Florida	310	34.80	11441.28	2:59 PM
34	Ft. Pierce, Florida	163	66.00	.00	2:52 PM
35	Orlando, Florida	307	38.20	.00	2:51 PM
43	Melbourne, Florida	298	16.20	154625.42	2:50 PM
52	Cocoa, Florida	298	16.20	83981.83	2:49 PM
56	Melbourne, Florida	180	28.30	30820.62	2:48 PM

EE:

David R. Harris
TECHNICIAN

June 30, 1986
DATE

TELEVISION SIGNAL SURVEY
WAYNE CHANNEL 56
MELBOURNE, FLORIDA

SITE NO. 3

SITE LOCATION US 1 & Paint Road
3 miles north of SR 404
Brevard County, Florida

CHANNEL NUMBER	LOCATION	TO TRANSMITTER DEGREE	MILES	SIGNAL LEVEL UV/M	TIME
2	Orlando, Florida	312	51.80	255.50	3:29 PM
6	Orlando, Florida	313	32.50	2192.49	3:32 PM
9	Orlando, Florida	313	32.50	6074.00	3:34 PM
34	Ft. Pierce, Florida	165	68.80	.00	3:39 PM
35	Orlando, Florida	307	36.20	21193.81	3:38 PM
43	Melbourne, Florida	285	13.80	206196.31	3:40 PM
52	Cocoa, Florida	285	13.80	223452.57	3:41 PM
56	Melbourne, Florida	176	29.20	9201.13	3:43 PM

TES:

Edward R. Harris
TECHNICIAN

June 30, 1986
DATE

TELEVISION SIGNAL SURVEY
WAYNE CHANNEL 36
MELBOURNE, FLORIDA

NO. 4

LOCATION US 192
3 Miles east of US 441
East of Holopaw, Osceola County, Florida

CHANNEL NUMBER	LOCATION	TO TRANSMITTER DEGREE	MILES	SIGNAL LEVEL UV/M	TIME
2	Orlando, Florida	337	43.80	603.88	5:09 PM
6	Orlando, Florida	355	30.50	2760.18	5:12 PM
9	Orlando, Florida	355	30.30	23630.60	5:15 PM
34	Ft. Pierce, Florida	140	71.50	527.02	5:05 PM
35	Orlando, Florida	346	31.20	670.21	5:04 PM
43	Melbourne, Florida	33	13.50	54863.17	5:02 PM
52	Cocoa, Florida	33	13.30	25071.79	5:01 PM
56	Melbourne, Florida	134	31.00	24481.69	5:00 PM

5:

and R. Harris
NICIAN

June 30, 1986
DATE